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NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

The attached letter, dated 25 February 1991, was addressed to the Secretary-General by the Permanent Observer of the Republic of Korea to the United Nations. In accordance with the request contained in the letter, the text is being circulated as a document of the Security Council.

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Annex

Letter dated 25 February 1991 from the Permanent Observer
of the Republic of Korea to the United Nations addressed
to the Secretary-General

Upon instructions from my Government, I have the honour to forward to you the text of the position of the Republic of Korea on the question of the safeguards agreement between the Democratic People's Republic of Korea and the International Atomic Energy Agency, under the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons.

I would be grateful if you would have this letter and the enclosed text circulated as a document of the Security Council.

(Signed) Hong-choo HYUN
Ambassador
Permanent Observer

Enclosure

Position of the Government of the Republic of Korea on the
question of the safeguards agreement between the Democratic
People's Republic of Korea and the International Atomic
Energy Agency

In connection with the statement of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea, issued on 16 November 1990, and circulated as Security Council document S/21957 dated 21 November 1990, on the question of concluding a safeguards agreement between the Democratic People's Republic of Korea and the International Atomic Energy Agency, the Government of the Republic of Korea wishes to reiterate its position on the matter as follows.

The Democratic People's Republic of Korea acceded to the Treaty on the Non-Proliferation of Nuclear Weapons in December 1985, the stipulations of which impose duties on a non-nuclear-weapon State party to conclude a full-scope safeguards agreement with the International Atomic Energy Agency within 18 months of its accession. Safeguard measures under Article III of the Treaty on the Non-Proliferation of Nuclear Weapons are essential obligations to be fulfilled by all State parties under the Treaty on the Non-Proliferation of Nuclear Weapons regime and central to its effectiveness and strength.

The Government of the Republic of Korea cannot but express serious concern that the Democratic People's Republic of Korea, a State party to the Treaty on the Non-Proliferation of Nuclear Weapons with significant nuclear activities, has failed to conclude the safeguards agreement for more than five years. The delay by the Democratic People's Republic of Korea far beyond the legal deadline of the entry into force of its safeguards agreement with the International Atomic Energy Agency is a clear violation of the fundamental obligations required under the Treaty and poses a threat to the international non-proliferation regime.

There are no provisions in the Treaty on the Non-Proliferation of Nuclear Weapons which justify any linkage between the failure of the Democratic People's Republic of Korea to conclude the safeguards agreement under the Treaty and other political issues or extraneous factors as it invokes. This attitude of the Democratic People's Republic of Korea endangers the Treaty on the Non-Proliferation of Nuclear Weapons regime in general and the security of Northeast Asia in particular. The Government of the Republic of Korea is seriously concerned about the development of nuclear weapons by the Democratic People's Republic of Korea.

The Government of the Republic of Korea strongly urges the Democratic People's Republic of Korea to comply with its treaty obligations to conclude and implement the requisite safeguards agreement as soon as possible and thereby remove a stumbling block to the confidence-building and reconciliation process on the Korean peninsula.
